

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1181 be amended to read as follows:

- 1       Page 2, between lines 26 and 27, begin a new paragraph and insert
- 2       the following:
- 3       **"(f) If the commission imposes a civil penalty under subsection**
- 4       **(d) a competitive local exchange carrier (CLEC) because of the**
- 5       **failure of an incumbent local exchange carrier (ILEC) to provide**
- 6       **the CLEC with:**
- 7       **(1) adequate network access; or**
- 8       **(2) other wholesale services;**
- 9       **needed by the CLEC to provide telecommunications service, the**
- 10       **CLEC may recover from the ILEC the amount of any civil**
- 11       **penalties imposed under subsection (d). The remedy provided**
- 12       **under this subsection is in addition to any other remedy available**
- 13       **to the CLEC by law."**
- 14       Page 2, line 27, delete "(f)" and insert "(g)".
- 15       Page 2, line 34, delete "(g)" and insert "(h)".
- 16       Page 2, line 40, delete "(h)" and insert "(i)".
- 17       Page 3, line 6, delete "(i)" and insert "(j)".
- 18       Page 4, between lines 7 and 8, begin a new paragraph and insert the
- 19       following:
- 20       **"(d) If a competitive local exchange carrier (CLEC) is unable to**
- 21       **comply with subsection (b) because of the failure of an incumbent**
- 22       **local exchange carrier (ILEC) to provide the CLEC with:**

1           **(1) adequate network access; or**  
2           **(2) other wholesale services;**  
3       **needed by the CLEC to provide telecommunications service, the**  
4       **CLEC may recover from the ILEC the amount of any civil**  
5       **penalties imposed on the CLEC under section 115.1 of this chapter.**  
6       **The remedy provided under this subsection is in addition to any**  
7       **other remedy available to the CLEC by law."**  
          (Reference is to HB 1181 as printed February 9, 2001.)

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Representative Crooks